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DATE FILED: 9/7/07

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BOARD OF TRUSTEES OF THE 1199 :  
SEIU GREATER NEW YORK BENEFIT:  
FUND et al. :

Plaintiffs, :

-against- :

JFK HARTWYCK AT CEDAR BROOK :  
:  
Defendant. :

CONSOLIDATION ORDER

07 Civ. 3744 (HB)

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BOARD OF TRUSTEES OF THE 1199 :  
SEIU GREATER NEW YORK BENEFIT:  
FUND et al. :

Plaintiffs, :

-against- :

JFK HARTWYCK AT EDISON :  
ESTATES :  
:  
Defendant. :

07 Civ. 3745 (HB)

-----X  
Hon. Harold Baer, Jr., District Judge:

WHEREAS, the plaintiffs in Board of Trustees of the 1199 SEIU Greater New York Benefit Fund et al. v. JFK Hartwyck at Edison Estates, 07-Civ.-03745, filed a Complaint on May 11, 2007, as related to Board of Trustees of the 1199 SEIU Greater New York Benefit Fund et al. v. JFK Hartwyck at Cedar Brook, 07-Civ.-03744; and

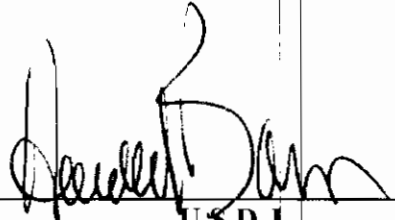
WHEREAS, the causes of action in both Complaints are identical; it is hereby ORDERED that the above captioned cases are hereby consolidated for all purposes pursuant to Fed. R. Civ. P. 42(a); and it is further

ORDERED that Board of Trustees of the 1199 SEIU Greater New York Benefit Fund et al. v. JFK Hartwyck at Cedar Brook, 07-Civ.-03744, is designated the lead case in this consolidated action; and it is further

ORDERED that the parties in Board of Trustees of the 1199 SEIU Greater New York Benefit Fund et al. v. JFK Hartwyck at Edison Estates, 07-Civ.-03745, are bound by and instructed to follow the deadlines in the Pretrial Scheduling Order issued July 12, 2007; and it further

ORDERED that, pursuant to Fed. R. Civ. P. 42(a), the Clerk of the Court is directed to remove Board of Trustees of the 1199 SEIU Greater New York Benefit Fund et al. v. JFK Hartwyck at Edison Estates, 07-Civ.-03745, from my docket as a separate case.

**SO ORDERED.**  
September 4, 2007  
New York, New York

  
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U.S.D.J.